

Exhibit D

From: Graber, Geoffrey
Sent: Monday, August 06, 2007 5:13 PM
To: Graber, Geoffrey
Subject: FW: Borg - Settlement Agreement and Stipulation of Dismissal

From: STANLEY HILTON [mailto:4561414@gmail.com]
Sent: November 22, 2006 9:48 AM
To: Graber, Geoffrey
Subject: Re: Borg - Settlement Agreement and Stipulation of Dismissal

GEOFF

PLEASE NOTIFY COURT OF SETTLEMENT AND TAKE YOUR MSJ OFF CALENDAR

I AM GOING TO EUROPE TOMORORW AND WONT RETURN TILL DEC 6

I AM NOT PREPARING AN OPPOSITION TO YOUR MSJ BECAUSE I RELY ON YOUR PROMISE TO REMOVE THE MOTION AS WE HAVE SETTLED CASE.

PLEASE CONFIRM

SG HILTON

On 21/11/06, **Graber, Geoffrey** <GGraber@mofo.com> wrote:

Stanley,

Attached for your review and signature are copies of the Settlement Agreement and Stipulation of Dismissal. If you are agreeable with the language, please sign and send a copy back to me. The agreement contemplates that you will file the Stipulation of Dismissal. We will take the MSJ off calendar as soon as the Stipulation is filed with the Court.

Also, as I noted earlier, we need your taxpayer ID to get the check cut. Please send us that information so that we can wrap this up. Thanks.

Best Regards,

Geoffrey Graber
Morrison & Foerster LLP
425 Market Street
San Francisco, CA 94105
(415) 268-7429

<<Borg - Stipulated Dismissal_v1.pdf>> <<Borg - Settlement Agreement_v1.pdf>>

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DR. SG HILTON